Docket No. 03398.000004. Date: March 11, 2009

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: YOUNGER AHLUWALIA et al.

| 1.1 | | | | |
|---|------------------|--|--|--|
| Applicat | ion No. | : 10/766 | 5,652 | |
| For: CO | MPOSI | ТЕ МА | TERIAL | |
| Filed: Ja | nuary 2 | 7, 2004 | | |
| Group A | rt Unit: | 1794 | | |
| Confirm | ation No | o.: 3967 | | |
| Examine | r: Ula C | Corinna | Ruddock | |
| Mail Sto Commiss P.O. Box Alexands | sioner f 1450 | | | |
| Sir: | | | | |
| Appli | cants h | ereby ap | opeal to the Board of Patent Appeals and Interferences from the decision | |
| dated No | vember | 12, 200 | 08 of the Primary Examiner finally rejecting claims 1-19. | |
| The it | em(s) c | hecked | below are appropriate. | |
| 1. X | | A Petition for a one (1) month extension of time to respond to the final rejection, together with the $\$130.00$ extension fee under 37 C.F.R. $\$1.17$, is submitted herewith. | | |
| 2. | | A Petition for an additional month extension of time to take further action, together with the \$ extension fee under 37 C.F.R. §1.17, was filed on | | |
| 3. | X | Fee \$5 | 540.00 | |
| | | Fee $\$250.00$ (Verified Statement claiming small entity status is enclosed, if not filed previously.) | | |
| | | | Enclosed | |
| | | | Not required (fee paid in prior appeal) | |
| | | X | Charge to Deposit Account No. 50-3939 (One additional copy of this Notice enclosed herewith) | |

- 4. X Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 50-3939 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-3939.
- Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Alicia A. Russo/ John D. Murnane Registration No. 29,836

Alicia A. Russo Registration No. 46,192 Attorney for Applicants

FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza New York, New York 10112-3800

Facsimile: (212) 218-2200